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consequent necessity of compression. It must be said, however, that the writer has practically estopped himself from using this plea by his frequent excursions into non-legal fields. In such a compendium it is somewhat surprising to find him straying, and often for some distance, into such matters as the services of Thomas Paine to the cause of American independence, the military history of our Revolutionary war, the economic effects of slavery, and the theory and practice of the gerrymander. His observations upon these subjects are always interesting and usually true; but one closes the book with an involuntary recollection of Dr. Johnson's description of a Scotch dinner — "fine miscellaneous feeding."

MUNROE SMITH.

*Chapters on the Principles of International Law.* By JOHN WESTLAKE, Q.C., LL.D., Whewell Professor of International Law in the University of Cambridge. New York, Macmillan & Co. —8vo, 275 pp.

This book, as the author says, "is not a detailed treatise on international law, but an attempt to stimulate and assist reflection on its principles." Like Sir Henry Maine's collection of essays on the same subject, it may be considered as a special product of the Whewell professorship; and it is to be estimated as a collection of essays rather than as an attempt at a systematic work.

The first five chapters are devoted to a cursory examination of the nature of international law, and to a sketch of the historical growth of the subject. Something is said of the writings of Ayala, Gentilis, Grotius, Bynkershoek, Wolff and Vattel; and a chapter is devoted to the effect of the Peace of Westphalia, and to the position and influence of Pufendorf among publicists. In this part of the book no feature is presented that seems to require special comment or criticism. It relates to matters often discussed by other writers, and was intended and composed, as the author intimates, "in part performance of a professor's duty to his university."

From the ninth chapter on, various interesting questions of international law are discussed in a clear and forcible manner. The first of these is the question of territorial sovereignty, especially with relation to uncivilized regions — a question, it may be said, of much less importance to the inhabitants of those regions than to the civilized powers whose present and prospective claims may depend upon the effect to be given to discovery or to occupation, or to native treaties and titles. In the award of the Pope in 1884, in the

dispute between Germany and Spain touching the Caroline Islands, much force was given to the claim of title by discovery, though in modern times little deference has been paid to claims of that character. Nevertheless, discovery was the sole basis of many of the old Spanish claims. In this relation Professor Westlake observes that the "titles which Portugal and Spain first claimed over the eastern and western worlds were not founded on discovery, but on papal grants." Yet, it is also true that the papal grants recognized, and to a certain extent were based upon, the idea of title by discovery. The bull of Pope Alexander VI, of May 4, 1493, which divided the world by a meridian traced a hundred leagues west of the Azores and Cape Verde Islands, provided that all lands discovered east of that meridian were to belong to Portugal, and west of it to Spain. But the Protestant powers of Europe refused to acknowledge not only the authority of the Pope, but also the effect of mere discovery, which was sufficient to confer title under the papal grants.

In a chapter on the rise of the Empire of India, and the relation of that empire to international law, Professor Westlake traces the decline of the native princes as international powers, and concludes that "the native princes who acknowledge the imperial majesty of the United Kingdom have no international existence." The dominion exercised by England is more than a protectorate. It is in reality an unlimited power of control, always ready to be exercised to any extent which the interests of the United Kingdom may demand. In some respects the position of the native inhabitants is similar to that of the American Indians. Like the latter, they are treated somewhat as "domestic dependent nations," and they do not possess the rights of British subjects unless they have undergone some process of naturalization.

In regard to the question of exempting private property at sea in time of war from belligerent capture, Professor Westlake, though he does not seem to have formed very strong opinions on the subject, closes his discussion of it by saying :

The true conclusion appears to be that a real cause, when such may exist, for desiring the detention of the enemy's sailors and ships in order to prevent invasion or the loss of our naval supremacy, is the only adequate motive for maintaining the present practice ; and that at the commencement of a war England should offer to her enemy to enter with him into a convention, determinable by either side on short notice, for mutual abstention from maritime capture except under the heads of blockade and contraband.

J. B. MOORE.